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10 *Swift Transportation Co. of AZ, LLC and*  
11 *Brayan Gutierrez*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 HUMBERTO DIAZ, an individual;  
11 SOUAD SUE AWADA, an individual;

12 Plaintiffs,

13 vs.

14 SWIFT TRANSPORTATION CO. OF  
15 ARIZONA, LLC, a Limited Liability  
16 Company; BRAYAN GUTIERREZ, an  
17 individual; DOES 1 through 50, inclusive  
18 Defendants.

CASE NO.: 2:23-cv-00108-APG-EJY

**STIPULATION AND ORDER FOR  
DISMISSAL WITH PREJUDICE**

19 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties respectfully  
20 request that the Court dismiss this action with prejudice. There are no counterclaims, cross-  
21 claims, or third-party claims pending in this civil action. The parties agree that should the  
22 Court approve this stipulation, each side shall bear its own attorney's fees and costs.

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1 **APPROVED AND STIPULATED AS TO FORM AND CONTENT:**

2  
3 DATED this 11th day of September, 2023.

DATED this 11th day of September, 2023.

4 **SWEET JAMES, LLP**

**RESNICK & LOUIS, P.C.**

5  
6 /s/ Israel Whitbeck

/s/ Melissa J. Roose

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11 *Attorneys for Plaintiffs,*

*Attorneys for Defendants,*

12 *Humberto Diaz and*

*Swift Transportation Co. of AZ, LLC and*

13 *Souad Sue Awada*

*Brayan Gutierrez*

14 **ORDER**

15 Based on the parties' Stipulation and good cause appearing, IT IS HEREBY  
16 ORDERED that this ACTION IS DISMISSED with prejudice, each side to hear its own fees  
17 and costs. The Clerk of the Court is directed to CLOSE THIS CASE.

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20 U.S. DISTRICT JUDGE

21 DATED: September 12, 2023